

TO: Jonathon Myer COMPANY:

due 5 Nov

Patent Technology Centers

OCT 29 2009

Facsimile Transmission

23265

To: Name: Jonathon Myer
 Company:
 Fax Number: 917186011099
 Voice Phone:

From: Name: David M. Brunsmann
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 Voice Phone: 5712721365

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

Please find first page of interview summary attached. I don't know why our software is only sending you one page at a time

Date and time of transmission: Thursday, October 29, 2009 10:16:58 AM

Number of pages including this cover sheet: 03

TO: Jonathon Myer COMPANY:

<i>Interview Summary</i>	Application No.	Applicant(s)	
	10/530,444	BUMM ET AL.	
	Examiner	Art Unit	
	David M. Brunsman	1793	

All participants (applicant, applicant's representative, PTO personnel):

(1) David M. Brunsman. (3) _____

(2) Jonathon Myers. (4) _____

Date of Interview: 26 October 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.
If Yes, brief description: Proposed new claims for discussion at interview.

Claim(s) discussed: see exhibit.

Identification of prior art discussed: all, in general.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/David M Brunsman/ Primary Examiner, Art Unit 1793	
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TO: Jonathon Myer COMPANY:

Continuation Sheet (PTOL-413)

Application No.: 10/530,444

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner agreed that claims to the coating agent limited to the particle size distributions of claims 5 or 6 or those disclosed in examples 1, 2 and 3 contain allowable subject matter with respect to the elected species. Upon filing of a claim set similar to the exhibit, the non elected claims to the method of making and using would be held withdrawn from consideration until the coating agent claims are put in allowable condition. At that time claims to the method of using and method of making that conform to the allowable coating agent claims would be rejoined. The scope of consideration for the claims under consideration (to the coating agent) will be expanded to include further claimed species (i.e. in addition to cellulose pulp + colorant). As these additional species are searched, they will be designated as allowable or a new rejection will be made. If all additional species are patentable over the prior art, the instant product claims will be designated allowable and, pending correction of any formal matters, conforming nonelected method claims rejoined.

TO: Jonathan Myer COMPANY:



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Fax Notes:

Please find the second and final page of the interview summary attached.

Thanks,

Dave Brunsman
571-272-1365

Date and time of transmission: Thursday, October 29, 2009 10:18:14 AM
Number of pages including this cover sheet: 02

TO: Jonathan Myer COMPANY:

Continuation Sheet (PTOL-413)

Application No. 10/530,444

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner agreed that claims to the coating agent limited to the particle size distributions of claims 5 or 6 or those disclosed in examples 1, 2 and 3 contain allowable subject matter with respect to the elected species. Upon filing of a claim set similar to the exhibit, the non elected claims to the method of making and using would be held withdrawn from consideration until the coating agent claims are put in allowable condition. At that time claims to the method of using and method of making that conform to the allowable coating agent claims would be rejoined. The scope of consideration for the claims under consideration (to the coating agent) will be expanded to include further claimed species (i.e. in addition to cellulose pulp + colorant). As these additional species are searched, they will be designated as allowable or a new rejection will be made. If all additional species are patentable over the prior art, the instant product claims will be designated allowable and, pending correction of any formal matters, conforming nonelected method claims rejoined.